

Remarks/Arguments

This paper is submitted responsive to the Office Action mailed April 3, 2008. Reconsideration of the application in light of the accompanying remarks and arguments is respectfully requested.

Initially, the undersigned would like to thank Examiner Crepeau for courtesies extended during a telephone interview wherein the Office Action was discussed and agreement reached as to certain issues in the action.

First, the Examiner agreed that there is proper written description support under 35 USC 112, first paragraph, for claims 1, 4-24, 49 and 52-60, and it is understood that that rejection will be withdrawn.

Also, amendments to the claims were discussed which are believed to place the claims in condition for allowance. Specifically, each of claims 1 and 49 has been amended to positively recite an SOFC structure, and to point out that the bonds called for in those claims are permanent bonds, that is, they are bonds which will withstand normal SOFC operating conditions. Also, the possibility of submitting a declaration from one of the inventors drawn to the asserted combination of Allen with the primary references was discussed, and that declaration is submitted herewith. Finally, dependent claim 56 was discussed, as was the subject matter now presented in new dependent claims 61 and 62, and it was agreed that the claims as amended would appear to define over the art of record, of course with the Examiner reserving the right to update his search and further consider these issues.

In the response, claims 1 and 49 have been amended to positively recite SOFC structure and permanent bonds, as

discussed, and it is believed that these claims define over all art of record.

In the existing rejections, most primary references are drawn to molten carbonate fuel cells. Further, the secondary reference Allen discloses use of an adhesive to bond components together during assembly, and further that this adhesive burns off during firing of the device. Thus, the bonds in Allen are completely different from those in the present invention where the permanence of the bonds are needed to minimize ohmic resistance across the interface between the electrode and the compliant interconnect of the present invention. Thus, Allen does not teach a solution which would be in any way useful in an SOFC cell, where the preferred assembly, as called for in claims 1 and 49, is to have the components bonded together. This point is further reinforced by the enclosed declaration.

Based upon the foregoing, it is submitted that claims 1 and 49 are in condition for allowance.

Dependent claim 56 is further believed to be in condition for allowance based upon the additional structure recited in connection with the interconnect. Nothing in the art of record is believed to disclose or suggest this structure. While not specifically discussed during the interview, dependent claim 58 is supported by the same reasoning as dependent claim 56. Thus, both of these claims are believed to be allowable due to their dependency from claims 1 and 49 respectively, and also in their own right.

Finally, new claims 61 and 62 have been added and recite the structure of the interconnect from the standpoint of the spaced contact zones, and this claim

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language defines over the flat mesh structure of WO 99/13522. Thus, dependent claims 61 and 62 are also submitted to be allowable based upon dependency from claims 1 and 49, and also in their own right.

A three month extension of time has been authorized along with filing of this paper. It is believed that no additional fee is due. If, however, any such fee is due, please charge same to Deposit Account 02-0184.

Respectfully submitted,

By George a. coury/

George A. Coury 34309
Attorney for the Applicant
Tel 203-777-6628, x113
Fax 203-865-0297

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E-mail: docket@bachlap.com